

**MINUTES OF THE
EXECUTIVE OFFICES & CRIMINAL JUSTICE
JOINT APPROPRIATIONS SUBCOMMITTEE
ROOM 405, STATE CAPITOL BUILDING
February 5, 2003**

Members Present: Sen. D. Chris Buttars, Co-Chair
Rep. David L. Hogue, Co-Chair
Sen. Patrice Arent
Rep. Scott Daniels
Rep. James A. Dunnigan
Rep. Eric K. Hutchings
Rep. Brad King
Rep. Bradley G. Last
Rep. Dana C. Love

Members Excused: Sen. Michael Waddoups
Rep. Ron Bigelow

Staff Present: William Greer, Fiscal Analyst
Gary Ricks, Fiscal Analyst
Greta Rodebush, Committee Secretary

Visitors List: List filed with committee minutes

Co-Chair Hogue called the meeting to order at 2:10 p.m.

MOTION: Rep. Dunnigan moved to approve the minutes of January 31, 2003 with the following corrections: on page 1, under State Auditor, change "Analyst Ricks recommended" to "Analyst Ricks presented", and on page 3, under Division of Youth Corrections, change "Analyst Greer recommended" to "Analyst Greer presented". The motion passed unanimously with Rep. Hutchings absent for the vote.

Co-Chair Hogue stated that the subcommittee would not be taking a preliminary vote on the Department of Public Safety's budget during this meeting. He then invited public comment on Public Safety issues.

Gary Wise, State Fire Marshall, spoke to a proposed but to the Fire Academy and Fire Fighter Training. He noted that over 6,500 fire fighters benefit from the Fire and Rescue Academy Services. Since its inception in 1993, the program has seen advancements in fire services and fire safety. The Fire Academy takes training to fire fighters who can not afford to travel long distances. Many of the certifications and standard operating procedures they are trained in are required by OCEA. Mr. Wise asked that the subcommittee not cut Fire Fighter Training funds.

Steve Lutz, Director of the Fire Academy, answered questions regarding in-state and out-of-state tuition, and grant monies. About 9000 people went through training in 2003. He noted that there are volunteer fire departments which are not able to sustain themselves and they rely on fire fighting training and grant monies to provide services to their local communities. Mr. Lutz also discussed fire insurance premiums and how they are affected by the ISO (Insurance Service Office Rating System). Firefighter training does factor into this rating.

The following individuals also offered testimony on the Fire Academy and Fire Fighting Training:

Jay Westergard, President of the Utah Firemen's Association
Douglas Ilam, Deputy Fire Chief, Roy City, Utah
Scott Adams, Asst. Chief Fire Marshall, Park City, Utah; Chairman, Utah Fire Prevention Board
Ray Charmis, Battalion Chief and Fire Marshall West Jordan City, Utah
Brady Hanson, Battalion Chief, Logan Fire Department, Utah
Chris Linquist, Volunteer Firefighter, Santaquin, Utah

Department of Corrections

Analyst William Greer presented a total FY 2003 budget of \$191,403,000 for the Department of Corrections. The programs within this budget are as follows:

Programs

Corrections Programs & Operations	134,657,400
Department Medical Services	16,193,500
Utah Correctional Industries	13,950,000
Jail Contracting	18,086,200
Jail Reimbursement	<u>8,515,900</u>
Total	<u>\$191,403,000</u>

In determining the FY 2004 Budget, the Analyst addressed these issues:

- 2.1 The Analyst FY 2003 Base budget recommendation is a continuation at the same funding level as FY 2003 just prior to the Sixth Special Session. The Department of Corrections has restructured its budgeting and accounting to more accurately reflect the actual operations of the organization and the shifting of funds due to budget reductions. A new program, Institutional Operations Programming, was created by shifting activities and resources from other programs and line items.
- 2.2 The Analyst recommended one-time funding of \$750,000 from the Crime Victim

Reparations Fund for the Diagnostic Unit in the Field Operations Adult Probation and Parole Division to ensure additional funding for one more year.

- 2.3 The Analyst recommended additional funding for Adult Probation and Parole Officers for increased supervision in conjunction with a release program that will reduce the number of inmates by 300, thereby closing the Lone Peak Facility. If funding is approved, the Department of Corrections will be requesting the purchase of one vehicle for every two agents hired, to provide transportation for the required home visits.
- 2.4 Iron County has approached the State on purchasing the State's portion of the Iron County Facility and using contracted prisoners to pay for it.
- 2.5 The Analyst recommended that any reduction of \$2.9 million for the Central Utah Correctional Facility continue to be a one-time reduction in case of changing prison populations for the future.
- 2.6 The Analyst suggested that the State form a single centralized training facility for POST and Corrections, possibly at the Promontory Correctional Facility.
- 2.7 The Analyst recommended the following intent language for FY 2004:

It is the intent of the Legislature that each of the Department of Corrections line items be granted nonlapsing status.

It is the intent of the Legislature that the Department of Corrections be granted the authority to transfer up to \$500,000 in nonlapsing funds from the Division of Adult Probation and Parole and Institutional Operations for use by Correctional Industries. The funding can only be used to support offender work programs that teach inmates useful skills or provide the State with an important service.

It is the intent of the Legislature that the Administration, Adult Probation and Parole, and Division of Institutional Operations line item be combined for FY 2004.

Michael Chabries, Executive Director of the Department of Corrections, introduced division directors to the subcommittee. Mr. Chabries outlined some of the achievements within the Department of Corrections to include: O Track, the offender data base program; Positive Behavior Reward System (PBR) for inmates at the Gunnison and Draper Facilities; efforts made by Adult Probation and Parole to better serve, through supervision, treatment, and alternative

sanctions, an ever increasing population of inmates being released; Dr. Richard Garden's innovative program to cut costs and increase medical services for inmates; and Utah Correctional Industries success in realizing an overall profit in FY 2002 for the first time in several years.

Mr. Chabries also made reference to the handout made available to subcommittee members: Utah Department of Corrections Report on Budget Reduction Proposals, January 24, 2003.

Co-Chair Hogue invited former Senator, Mont Evans, to come back on Friday to make a presentation on Corrections Medical Services within the private provider system. He also stated that a preliminary vote on the Analyst's presentation for the FY 2003 Budget for the Department of Corrections will take place on Friday as well. Co-Chair Hogue then opened the meeting for public comment on Corrections.

The following spoke to the use of the Crime Victims Reparations Fund to offset budget cuts in other programs within the Department of Corrections:

Chris Kishyoma, Rape Recover Center
Grace Call, Executive Director, Utah Coalition Against Sexual Assault
Susanne Mitchell, Salt lake County Children's Justice Center
Sue Swain, citizen
Heidi Nutsell, Prosecutor, Davis County Attorney's Office, and Director of Victim Services
Laura Blanchard, Utah Council on Victims of Crime

Dan Davis, Director of the Crime Victims Reparations Fund, explained the funding sources of this program. CVR Trust Fund monies come from Court surcharges on fines, penalties, and forfeitures. These funds are then used for victims of violent crime, victim services and CVR administrative costs. Mr. Davis responded to questions from the subcommittee.

The following spoke to other issues within the Department of Corrections:

Reed Richards, Utah Chief of Police and Sheriff's Associations
Kirk Smith, Washington County Sheriff
Brad Slater, Weber County Sheriff, President of the Utah Sheriff's Association

Co-Chair Hogue informed the subcommittee that the proposed additional two percent budget cuts for FY 2003 would be reviewed at Friday's meeting on February 7th.

Co-Chair Hogue offered some concluding remarks on the Crime Victims Reparations Fund. He pointed out that not all the monies collected from Court surcharges and fines go to the Crime Victims Reparations Fund. The proposed one-time cut to this program is on a balance in

the Fund that is currently not being used. Rep. Hogue stated that the recommended cut would not be punitive to the program.

Co-Chair Hogue also spoke to the early release of prisoners. He stated that those who would be released are actually scheduled for releases within the next two or three months. These prisoners are not sex or violent offenders.

Co-Chair Hogue expressed his appreciation to Bill Greer, Fiscal Analyst, for his work on the Executive Offices and Criminal Justice Appropriations Subcommittee. Mr. Greer has been called up to serve with the Utah National Guard.

MOTION: Rep. Love moved to adjourn. The motion passed unanimously.
Co-Chair Hogue adjourned the meeting at 5:10 p.m.

Sen. D. Chris Buttars, Co-Chair

Rep. David L. Hogue, Co-Chair